

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

NILES RODNEY PAYNE,

Petitioner,

v.

COLUMBIA CORR. INST. and
DEPARTMENT OF CORRECTIONS,

Respondents.

ORDER

09-cv-164-slc

In an order entered in this case on March 25, 2009, this court told petitioner that if he intends to pursue his request to proceed in forma pauperis, he must file a trust fund account statement covering the period beginning approximately September 12, 2008 and ending approximately March 9, 2009. In response to the March 25 order, petitioner has submitted a one-month statement beginning March 1, 2009 and ending March 31, 2009. He does not ask for additional time to submit a supplemental statement for the missing period or supply proof that he made diligent efforts to obtain the statement and his request was denied. Therefore, because petitioner has failed to comply with the court's March 25 order, I will direct the clerk of court to close this file without prejudice to petitioner's filing his case at a later date.

ORDER

IT IS ORDERED that this case is DISMISSED without prejudice to petitioner's refiling his lawsuit at some future time.

Entered this 23rd day of April, 2009.

BY THE COURT:

/s/

BARBARA B. CRABB
District Judge